IN RE: PETITION FOR ZONING VARIANCE S/S Weywood Drive, 2,364' W of the C/L of Hanover Road

* ZONING COMMISSIONER (5421 Weywood Drive) 4th Election District * OF BALTIMORE COUNTY 3rd Councilmanic District

Patrick Edward Martin Petitioner

* Case No. 88-504-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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The Petitioner herein requests a variance to permit side yard setbacks of 32 feet and 30 feet in lieu of the required 50 feet each for a proposed addition and attached garage, as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants. Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of June, 1988 that the Petition for Zoning Variance to permit side yard setbacks of 32 feet and 30 feet in lieu of the re-

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

James Dyer Zoning Supervisor Date March 11, 1986

James Thompson Zoning Enforcement Coordinate

Item No.: 334 SUBJECT Petitioner:

Drumcastle Apartments Association Corporation

VIOLATION CASE # C-87-1558

LOCATION OF VIOLATION _ Holly Leas and Malber Assessed 6306 Holly Lane DEFENDANT Drumcastle Apts. Assoc. Corp. ADDRESS Baltimore. MD 21212

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

Raymond Peroutka

700 Walker Avenue Beltimore, MD 21212

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

quired 50 feet each for an addition and attached garage, with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> The Petitioner may apply for his building permit and be granted same upon receipt of this Order; howeveer, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

The Petitioner shall not allow or cause the garage addition to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

. Robort Haines Zoning Commissioner

72

JRH:bjs

#331

ZONING DESCRIPTION

Beginning on the southside of Neywood Drive at the distance of 2364' West of the centerline of Hanover Pike. Being Lot 11, in the subdivision of Woodglen Farms. Book No. 43, Folio 69. Also known as 5421 Weywood Drive in the 4th Election District.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

April 20, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Verience CASE NUMBERY 98-504-A 35 Werwood Drive. 2.354° W of c/1 Henover fined (5421 Neywood Orive) 4th Election District - 3rd Councilments Petitioner(s): Petrick Edward Martin HEARING SCHEDULED: MONDAY, JUNE 13, 1908 at 2:00 p.m.

Verience to permit side yard setbacks of 32 feet evel 30 feet in lieu of the required 50 feet for an addition and attached garage respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Raltimore County ccs Petrick Edward Partin

Baltimore County Zoning Commissione Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

June 15, 1988

"DUPLICATE"

RE: PETITION FOR ZONING VARIANCE 8/S Neywood Drive, 2.364' W of the c/1 of Hanover Road 4th Election District; 3rd Councilmanic District Case No. 88-504-A

Dear Mr. Martin:

JRH:bjs

Mr. Patrick E. Martin

Reisterstown, Haryland 21136

5421 Weywood Drive

Enclosed please find the decision rendered on the above-referenced case, " The Petition for Zoning Variance has been granted subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

> Very truly yours, , Robert Haines J. ROBERT HAINES U Zoning Commissioner for Baltimore County

CERTIFICATE OF PUBLICATION TOWSON, MD., May 36 19 88 The Zenter Communication of Col-tracter County, by authority of the Zenting Act and Regulations of Bate-store County will held a packle hearing on the property advanced herein in Boom 106 of the County Office Bulling, hearted at 112 of Cheese peaks Avenue in Bull-dea, delaying an information of the Batesian for Yuntur that THIS IS TO CERTIFY, that the annexed advertisement was iblished in THE JEFFERSONIAN, a weekly newspaper printed Chesapeake Avenue is Topidos, delaristant as informed a federated as federated from the control of the control and published in Towson, Baltimore County, Md., appearing or May 26 1988 THE JEFFERSONIAN.

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

Date: 5/31/88

Mr. Petrick Edward Martin 5421 Maywood Drive Relateratours Maryland 21136

May 36

Petition for Zoning Verlance CASE NUMBER 88-504-A 35 Maywood Drive, 2,364° M of c/1 Henover Road (5421 Maywood Orlue) 4th Election District - 3rd Councilments Petitioner(s): Petrick Edward Martin MEARING SCHEDULEDS MONDAY, JUNE 13, 1908 of 2:00 p.m.

Please be advised that # 8/82 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the mign and post set(s) from the property from the time It is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to been

LTIMORE COUNTY, MARYLAND A'z of Finance Revenue Division SCELLANEOUS CASH RECEIPT	No. 52689	and post set(s), there for each set not
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#331 PETITION FOR ZONING VARIANCE TO THE ZONING COMME SIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a 103.3 (1A0/.3.B.3) to permit side yard setbacks of 3.2 feet and 3.0 feet in lieu of the required 50 feet for an addition and Attached of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Family size has doubled since house was originally built. Expecting new family addition in very near future, reguiring more living space. DATE 10/4/19 Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing or this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s); Patrick Edward Mortin (Type or Print Name) Extras & mut (Type or Print Name) Signature Attorney for Petitioner: 526-4034 Redsterstown, Md. 21136 City and State City and State Attorney's Telephone No.: ESTIMATED LENGTH OF HEARING AVAILABLE FOR HEARING MON./TOES./HED. - HEXT TWO MONTAS DATE 3-10-81

CERTIFICATE OF POSTING IT OF BALTIMORE COUNTY 8 - 304-A

Durin 4th	Date of Posting May 20-88
Posted for Warrance	
Politioner: Patrick Edward Most	<u> </u>
Location of property: Sis of Westwood - Du	2364 Wotthe
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H H	and Beatmone Courty without a public heading on the American Courty withhold a public heading on the American Towards in Towards, Maryland as before the Yesternam of Maryland as before the Yesternam of Maryland as before the American American Court (1998). Date: 2.364 W of or! Hence Road of Road of Road) In Road (1998) Councilment (1998) at 258 p.m. In Road (1998) American (1998) and 258 p.m. In the side yard authorists of 29 f.et and 20 heat in at the an action and acts and person respectively.		E S
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APERS OF MARYLAND, INC.

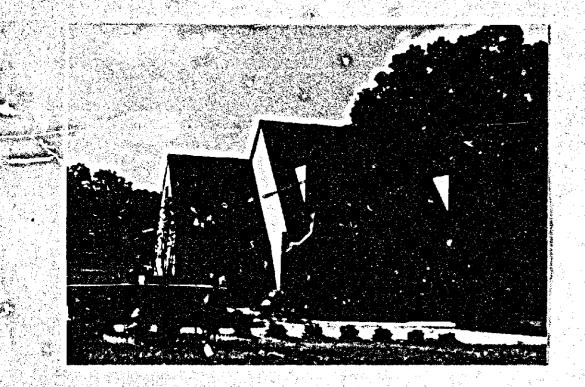
innexed Req #M14924 P.Q.#00708

....... 1955...... in the a daily newspaper published iinster, Carroll County, Maryland. weekly newspaper published in Baltimore County, Maryland. weekly newspaper published

in Baltimore County, Maryland. APERS OF MARYLAND, INC.

Md. Nay 25, 19.88 successive weeks days previous





BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Petitioner's

Attorney

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this

Advisory Committee

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 406 Towson, Maryland 21204 494-3554

April 12, 1988

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Hainest

The Bureau of Traffic Engineering has no comments for items number 320, 324, 325, 326, 327, 328, 331, 333, 334 and 335.

Traffic Engineer Associate II

" Wit:

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE May 27, 1988

> Mr. Patrick Edward Martin 5421 Weywood Drive Reisterstown, Maryland 21136

RE: Item No. 331 - Case No. 88-504-A Petitioner: Patrick Edward Martin Petition for Zoning Variance

Bureau of Fire Prevention

Health Department

Project Planning

Building Departmen

Board of Education

Industrial

Soning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours.

Sand's Sypolar JAMES E. DYER Chairman Zoning Plans Advisory Committee

Enclosures

County Standards must be drilled.

Zoning Commissioner

County Office Building

Towson, Maryland 21204

Office of Planning and Zoning

of property and approval of Building Fermit Applications. Prior to occupancy approval, the potability of the water supply must be verified by collection

of septie tank and/or entire seringe disposed system contact
a member of the Soil Evaluation Section at 494-2762

BUREAU OF WATER QUALITY AND ASSOURCE MANAGEMENT

Baltimore County Fire Department Towson, Maryland 21204 2586 494-4500

Paul H. Reincke

Gentlemen:

J. Robert Haines Zoning Commissioner Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

April 5, 1988

Re: Property Owner: Patrick Edward Martin

Location: S/S Weywood Dr., 2,364' W. of c/l Hanover Rd.

Zoning Agenda: Meeting of 3/22/88

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorrected into the final plans for the property to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are _equired and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department

() 2. A second means of vehicle access is required for the site. () 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department. () 4. The site shall be made to comply with all applicable parts of the

Fire Prevention Code prior to occupancy or beginning of operation. (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comment of this time.

ALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE May 16, 1988

TO _____ Zoning Commissioner

FROM P. David Fields, Director Office of Planning and Zoning

SUBJECT_Zoning Petitions #88-480-A, 88-481-A, 88-482-A, 88-483-A, 88-483-A, 88-484-A, 88-488-A, 88-492-A, 88-493-A, 88-495-SpHA, 88-498-A, 88-499-A, 88-500-A, 88-503-A, 88-504-A) 88-505-A

> There are no comprehensive planning factors requiring comments on these petitions.

PDF/jat

MAY 17 1988

C: Patrick Edward Martin

Zoning Item 331, Zoning Advisory Committee Meeting of March 22, 1980

Property Owner: Patrick Edward Martin

Location: St Wayneed Dr. 23er W et clief Assever Redistrict 4

Water Supply private Sewage Disposal private CONTENTS ARE AS FOLLOWS: Prior to appreval of a Building Permit for construction, renevation and/or installation of equipment for any existing or proposed food service is ility, complete plans and specifications must be for any existing or proposed food service is ility, complete plans and specifications must be for any existing or proposed food service is ility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review submitted to the Plans Review Section, Bureau of Regional Community Services,

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL

) Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Hanagement, 494-3775, to obtain requirements for such installation/s before work begins.) A permit to construct from the Bureas of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere. () A permit to construct from the Sureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of @ Building Permit Application for removations to existing or construction Prior to approval of Duilding Fermit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation bust be submitted to the area and type of equipment to be used for the food service operation bust be submitted to the Plans Review and Approval Section, Division of Engineering and Haintenance, State Department of Plans Review and Approval and approval.

) Prior to any new construction or substantial alteration of public swimming pool, wading pool Prior to any new construction or substantial alteration of public swiming pool, wading pool, bathhouse, sausas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.

() Prior to approval for a sursery school, owner or applicant sust comply with all Baltimore County) If jubrication work and oil changes are performed at this location, the method providing for the

elimination of waste oil must be in accordance with the State Department of the Environment. () Frior to racing of existing structure/s, petitioner must contect the Divisim of Weste Hensgement at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner music contact the Bureau of Air Quality Hanagement regarding removal of asbestos, 494-3773.

() Any shendoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfulled, the contents removed by a licensed hauler and tank removed from the property or properly backfulled. Prior to removel or abendonment, owner must contact the Division of Waste Management at 494-3768. () Soil percolation tests, have been _____, must be _____, conducted.
() The results are valid until
() Soil percolation test results have expired. Fetitioner should contact the Division of

Water and Sewer to determine whether additional tests are required. () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test) shall be valid until

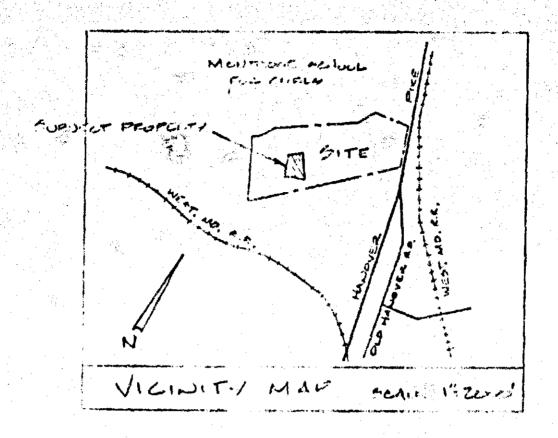
) is not acceptable and must be retested. This must be accomplished prior to conveyance

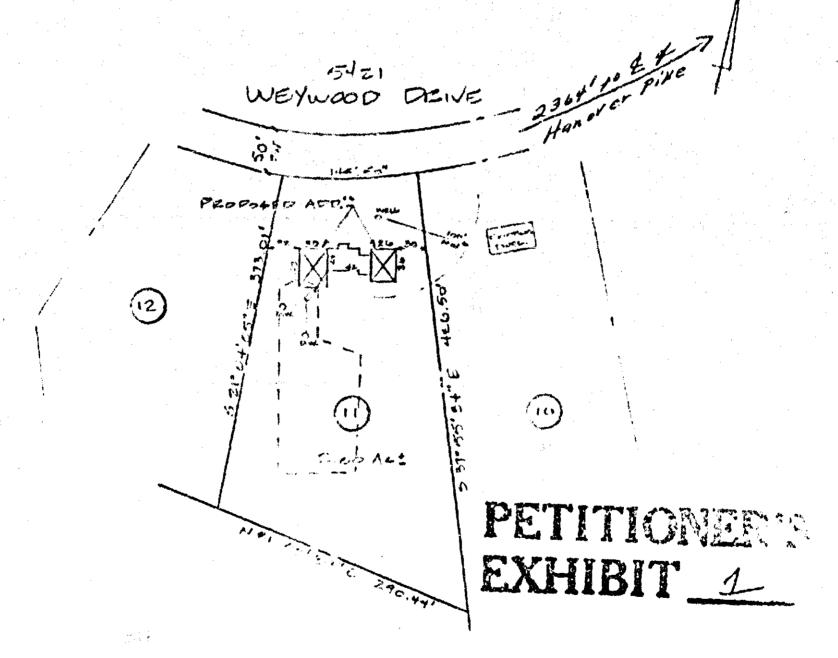
) If submission of plans to the County Review Group is required, a Fydrogeological Study and an

for further information

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PLAT FOR ZWING MEMBER

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DISTRICT - 4, ZENED: FE-2

WEDDINION - WOODGING OF FARMS

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BALTIMUSE COUNTY, MARY AND

MARCH 1988

Well & Septic

SCALE: 1"-100"

#331